

REMARKS

In the Office Action dated May 24, 2006, the Patent Office rejects pending claims 1-3 as being anticipated by U.S. Patent No. 6,182,979 to Lee.

In response to the Office Action, Applicants amended claims 1-3 to clarify the arrangement of the suspension system. Amended claim 1 requires that the position of the roll center is maintained above the instant center during motion of the vehicle. Claim 2 requires that a distance between the first pivot point and the second pivot point is constant. In addition, claim 3 requires that the first suspension arm crosses the second suspension arm cross in superposition. Support for the amendment to the claims is found at least in paragraphs 34 and 37.

Lee discloses a suspension system for a vehicle wherein each wheel carrier is attached to an upper control arm and a lower control arm. The control arms are coupled together via a linkage at the vehicle body by a hydraulic actuator. The upper control arm and lower control arm are movable with respect to one another to change the position of the roll center and instant center of each wheel carrier.

Lee fails to disclose maintaining the roll center of the vehicle above the instant center as required by claim 1. Instead, as illustrated in FIG. 4, Lee discloses moving the control arms to change the position of the roll center and the instant center. Lee merely discloses one position, namely the second position, where the roll center is above the instant center. Accordingly, Lee discloses positioning the instant center above the roll center in most instances and moving the control arms to vary their relative positions. As a result, Lee teaches away from the roll center of the vehicle above the instant center as required by claim 1. Therefore, Applicants believe the rejection of claim 1 is overcome.

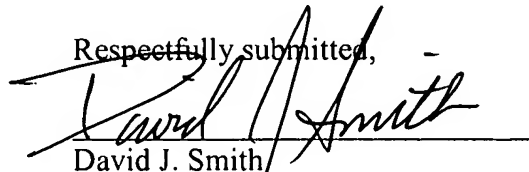
Furthermore, Lee fails to disclose that a distance between the first pivot point and the second pivot point is constant as required by claim 2. Specifically, claim 2 defines the pivot points as a point in which each control arm connects to the body. Lee, however, discloses changing that distance to move the positions of the roll center and the instant center. As shown in FIGS. 1 and 4, the actuator 2 moves the control arms at the vehicle body to move the instant center and the roll center. Therefore, Lee does not anticipate the present invention as defined by amended claim 2. Notice to that effect is requested.

In addition, Lee fails to disclose that the first suspension arm and the second suspension arm cross in superposition as required by claim 3. Rather, Lee discloses control arms that are slightly skewed but connected to one another by the wheel carrier. The control arms of Lee will never cross as the operation of the actuator 2 depends on a slightly skewed arrangement of the control arms. Therefore, Lee fails to anticipate the invention as defined by claim 3.

In light of the foregoing, Applicants submit that the application is now in condition for allowance, and accordingly, respectfully requests the allowance thereof

Date: 10/24/06

Respectfully submitted,



David J. Smith
Reg. No. 57,135
McDonald Hopkins Co., LPA
600 Superior Avenue, E.
Suite 2100
Cleveland, OH 44114-2653
(216) 348-5431